IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE M.N.KRISHNAN

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

WP(C).No. 15828 of 2007(H)

AGAINST THE ORDER IN IA 56/06 IN
OS.3/1980 of SUB COURT, KASARAGOD

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PETITIONER:

KODOTH THAMBAN NAIR, AGED 65 YEARS,
S/O.LATE KANNAN NAIR, 'PRASRUMA', MANADKA,
BANDADKA VILLAGE, KASARAGOD TALUK.

BY ADV. SRI.T.SETHUMADHAVAN
SRI.PUSHPARAJAN KODOTH
SRI.K.JAYESH MOHANKUMAR

RESPONDENTS:

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1. A.K.VIJAYAGOPALA, ADVOCATE,
S/O.K.BALAKRISHNAN NAIR AND A.K.VIJAYALAKSHMI
RESIDING AT 'SHARADA VILAS', PALAYAD P.O.,
MELOOR, KANNUR DISTRICT.

2. A.K.RANJINI, AGED 39 YEARS,
D/O.K.BALAKRISHNAN NAIR AND A.K.VIJAYALAKSHMI,
RESIDING AT 'SHARADA VILAS', PALAYAD,
P.O.MELOOR, KANNUR DISTRICT.

3. A.K.SHAMPRASAD, AGED 36 YEARS,
S/O.K.BALAKRISHNAN NAIR AND A.K.VIJAYALAKSHMI,
RESIDING AT 'SHARADA VILAS', PALAYAD, P.O.MELOOR,
KANNUR DISTRICT.

4. A.K.JYOTHI KUMAR, AGED 34 YEARS,
S/O.K.BALAKRISHNAN NAIR AND A.K.VIJAYALAKSHMI,
RESIDING AT 'SHARADA VILAS', PALAYAD,
P.O.MELOOR, KANNUR DISTRICT.

5. A.K.SHALINI, AGED 32 YEARS,
D/O.K.BALAKRISHNAN NAIR AND A.K.VIJAYALAKSHMI,
RESIDING AT 'SHARADA VILAS', PALAYAD,
P.O.MELOOR, KANNUR DISTRICT.

6. A.K.SRIJITH, AGED 26 YEARS,
S/O.K.BALAKRISHNAN NAIR, AND A.K.VIJAYALAKSHMI,
RESIDING AT 'SHARADA VILAS', PALAYAD,
P.O.MELOOR, KANNUR DISTRICT.

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 25/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

M.N. KRISHNAN, J.

WP(C)No.15828 OF 2007 H

Dated this the 25th May, 2007.

JUDGMENT

This writ petition is filed seeking direction to the Subordinate Judge, Kasaragode to pass final orders in I.A.56/06 in O.S.3/80 and also to pass a final decree in O.S.3/80. It is submitted that Ext.P2 application has been filed as early as on 20.1.2006. The decree was appealed against and this Court disposed of the appeal on 29.3.2005. This Court also directed the Lower Court to pass appropriate orders regarding the discharge of receiver and also to pass a final scheme. Since the property involved is having a large extent and there is urgency, the prayer by the party to have an expeditious disposal require meritorious consideration. Therefore, the writ petition is disposed of directing the Subordinate Judge, Kasaragode to dispose of I.A.56/06 within a period of two months from today and also to pass a final decree as expeditiously as possible, not later than within a period of six months.

The Registry is directed to send a copy of this judgment to the Subordinate Judge, Kasaragode for necessary compliance.

M.N.KRISHNAN
Judge

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